

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

☐ FEPA

☒ EEOC

340-2003-09802

California Department of Fair Employment and Housing and EEOC

State or local Agency, if any

NAME (indicate Mr., Ms. or Mrs.)

Mr. Eduardo Gonzalez

HOME TELEPHONE (include area code)

(510) 782-3167

STREET ADDRESS

CITY, STATE AND ZIP CODE

27474 Capri Avenue, Hayward, CA 94545
P.O. Box 11375, Stanford, CA 94309

DATE OF BIRTH

October 19, 1983

NAME OF THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one, list below.)

NAME

Abercrombie & Fitch at Valley Fair

NUMBER OF EMPLOYEES, MEMBERS

Cat. D (500+)

TELEPHONE (include area code)

408-551-0252

STREET ADDRESS

CITY, STATE AND ZIP CODE

2855 Stevens Creek Blvd., Space B585, Santa Clara, CA 95050

COUNTY

SANTA CLARA

NAME

Abercrombie & Fitch

NUMBER OF EMPLOYEES, MEMBERS

Cat. D (500+)

TELEPHONE (include area code)

614-283-6500

STREET ADDRESS

CITY, STATE AND ZIP CODE

6301 Fitch Path, New Albany, Ohio 43054

COUNTY

FRANKLIN

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

☒ RACE ☒ COLOR ☐ SEX ☐ RELIGION ☒ NATIONAL ORIGIN
☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (specify)

DATE DISCRIMINATION TOOK PLACE

EARLIEST

LATEST

8/7/02

☒ CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

I. I am a Latino male. I was denied a position as a sales associate ("Brand Representative") at the Abercrombie & Fitch store in the Valley Fair Mall in Santa Clara, California. I initially applied at the Valley Fair Mall store on August 7, 2002 and returned for a group interview on August 27, 2002. I was not hired nor was I ever contacted by Abercrombie.

II. I believe that I have been discriminated against by Abercrombie on the basis of national origin, color, or race for the following reasons: I am qualified for the sales associate position. I am a Stanford University undergraduate who was looking for a part-time job at the time. On both August 7 and 27, 2002, I noticed that none of the sales associates at the Valley Fair Abercrombie were minority individuals, i.e., Latino, African American or Asian American. When I initially applied, an Abercrombie manager suggested that I apply to work in the stock room or on the late night crew in a non-sales position.

III. I believe that Abercrombie has a pattern and practice of discriminating against minority individuals on the basis of national origin, color, or race in staffing sales positions in its stores nationwide. I bring this charge on behalf of myself and similarly situated minority individuals denied sales positions as a result of national origin, color, or race.

RECEIVED

☒ I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedure.

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct.

SIGNATURE OF COMPLAINANT

8/25/2003
Date

Eddie Gonzalez
Charging Party (signature)

Eddie Gonzalez
SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(Day, month, and year)

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)



TTY # (800) 700-2320

☐ 1001 Tower Way, Suite 250
Bakersfield, CA 93309
H (805) 395-2729

Ms. Rachel Riddle
Human Resources Director
Abercrombie & Fitch
6301 Fitch Path
New Albany, OH 430054

EEOC Number: 340-2003-09802

Case Name: GONZALEZ, EDUARDO

Date: April 29, 2003

☐ 1320 E. Shaw Avenue, Suite 150
Fresno, CA 93710
C (559) 244-4760**NOTICE TO COMPLAINANT AND RESPONDENT**☐ 611 West Sixth Street, Suite 1500
Los Angeles, CA 90017
B (213) 439-6799

This is to advise you that the above-referenced complaint is being referred to the California Department of Fair Employment and Housing (DFEH) by the U.S. Equal Employment Opportunity Commission (EEOC). The complaint will be filed in accordance with California Government Code section 12960. This notice constitutes service pursuant to Government Code section 12962.

☐ 1515 Clay Street, Suite 701
Oakland, CA 94612-2512
M (510) 622-2941**No response to the DFEH is required by the respondent.**☐ 2000 "O" Street, Suite 120
Sacramento, CA 95814-5212
E (916) 445-5523

The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waived to another agency."

☐ 350 W. Ash Street, Suite 950
San Diego, CA 92101-3440
D (619) 645-2681**NOTICE TO COMPLAINANT OF RIGHT-TO-SUE**☐ 121 Spear Street, Suite 430
San Francisco, CA 94105
A (415) 904-2303

Since DFEH will not be issuing an accusation, this letter is also your right-to-sue notice. According to Government Code section 12965, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The lawsuit may be filed in a State of California Superior, Municipal or Justice Court. Government Code section 12965, subdivision (b), provides that such a civil action must be brought within one year from the date of this notice. Pursuant to Government Code section 12965, subdivision (d)(1), this one year period will be tolled during the pendency of the EEOC's investigation of your complaint. You should consult an attorney to determine with accuracy the date by which a civil action must be filed. This right to file a civil action may be waived in the event a settlement agreement is signed. Questions about the right to file under federal law should be referred to the EEOC.

☐ 111 North Market Street, Suite 810
San Jose, CA 95113-1102
G (408) 277-1277☐ 2101 E. Fourth Street, Suite 255-B
Santa Ana, CA 92705-3855
K (714) 558-4266

The DFEH does not retain case records beyond three years after a complaint is filed.

Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

Barbara J. Osborne
Deputy Director
Enforcement Field Operations

CHARGE OF DISCRIMINATION		AGENCY <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	CHARGE NUMBER 340A201971
Form is affected by the Privacy Act of 1974; See Privacy Act Statement before filing this form.			
California Department of Fair Employment and Housing State or Local Agency, if any		and EEOC	
NAME (Indicate Mr., Ms., Mrs.) Carmación Gutierrez		HOME TELEPHONE (Include Area Code) 310-824-5394	
STREET ADDRESS 09 Stansbury Ave., Panorama City, CA 91402		CITY, STATE AND ZIP CODE DATE OF BIRTH 6-29-75	
I AM THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)			
NAME Abercrombie & Fitch		NUMBER OF EMPLOYEES, MEMBERS Unknown (25+)	TELEPHONE (Include Area Code) 310-899-2966
STREET ADDRESS 45 Third Street Promenade, Santa Monica, CA 90401		CITY, STATE AND ZIP CODE COUNTY Los Angeles	
STREET ADDRESS		CITY, STATE AND ZIP CODE COUNTY	
TYPE OF DISCRIMINATION BASED ON (Check appropriate box(es)) <input type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input checked="" type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify)		DATE DISCRIMINATION TOOK PLACE EARLIEST LATEST June/July 2001-continuing <input checked="" type="checkbox"/> CONTINUING ACTION	
PARTICULARS ARE (If additional space is needed, attach extra sheet(s)).			
<p>During the summer of 2001, I went to the Abercrombie & Fitch store located on the Third Street Promenade in Santa Monica, California, and I inquired about the availability of employment at the store. I received an application, which I was instructed to fill out. I was told to bring the completed application to a group interview on a set day of the week and time. I did return for the group interview, with my completed application. The group interview was conducted in the open area on the second floor of the store by a white male identified as the manager. There were seven or eight applicants sitting in a circle. The manager asked us to go around the circle and introduce ourselves, say something about ourselves, and indicate what job position we wanted to obtain. Each applicant did as instructed. The manager asked a very few follow-up questions of particular applicants. I do recall that he asked the first applicant to speak -- an Asian American male -- whether he spoke English even though his answer to the initial set of questions plainly demonstrated that he did in fact speak English. After we each responded, the manager told us that the interview was over and collected our applications. I have never been contacted about taking a position at the Abercrombie & Fitch store even though I never withdrew my application. I also have never received any sort of letter or communication indicating that my application was rejected or asking for any further information about my qualifications. Based on my observations of who works in the store, who was interviewed (more than half of those in my group interview were minorities), and the manager's interest in each applicant, I believe that I have not been hired or contacted because I am Latino.</p>			
<input type="checkbox"/> I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the foregoing is true and correct.		NOTARY (when necessary for State and Local Requirements) I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, Month, and year)	
DATE EEOC FORM 5 (Rev. 06/82)		CHARGING PARTY (Signature) DATE EXHIBIT B	

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before this form.

AGENCY ☐ FEPA ☒ EEOC CHARGE NUMBER 340A201971

CA Dept. Fair Employment & Housing and EEOC
State or local Agency, if any

NAME (Indicate Mr., Ms., Mrs.)	HOME TELEPHONE (Include Area Code)	
Mr. Encarnacion Gutierrez	(310) 824-5394	
ADDRESS	CITY, STATE AND ZIP CODE	DATE OF BIRTH
890 Stansbury Avenue, Panorama City, CA 91402		06/29/1975
NAME IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)		
NAME	NUMBER OF EMPLOYEES, MEMBERS	TELEPHONE (Include Area Code)
Abercrombie & Fitch Co.	Cat D (501 +)	(310) 899-2966
ADDRESS	CITY, STATE AND ZIP CODE	COUNTY
131 3rd Street Promenade, Los Angeles, CA 90063		037
NAME	TELEPHONE NUMBER (Include Area Code)	
ADDRESS	CITY, STATE AND ZIP CODE	COUNTY
DISCRIMINATION BASED ON (Check appropriate box(es))		DATE DISCRIMINATION TOOK PLACE
<input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input checked="" type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify)		EARLIEST 06/01/2001 LATEST 05/21/2002
		<input checked="" type="checkbox"/> CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):
Alleged Charge

During the summer of 2001, I went to the Abercrombie & Fitch store located on the Third Street Promenade in Santa Monica, California, and I inquired about the availability of employment at the store. I received an application, which I was instructed to fill out. I was told to bring the completed application to a group interview on a set day of the week and time. I did turn for the group interview, with my completed application. The group interview was conducted in the open area on the second floor of the store by a white male identified as the manager. There were seven or eight applicants sitting in a circle. The manager asked us to go around the circle and introduce ourselves, say something about ourselves, and indicate what job position we wanted to obtain. Each applicant did as instructed. The manager asked a very few follow-up questions of particular applicants. I do recall that he asked the first applicant to speak as an Asian American male -- whether he spoke English even though his answer to the initial set of questions plainly demonstrated that he did in fact speak English. After we each responded, the manager told us that the interview was over and collected our applications. I have never been contacted about taking a position at the Abercrombie & Fitch store even though I never withdrew my application. I also have never received any sort of letter or communication indicating that my application was rejected or asking for any further information about my qualifications. Based on my observations of who works in the store, who was interviewed (more than half of those in my group interview were minorities), and the manager's interest in each applicant, I believe that I have not been hired or contacted because I am Latino.

I warrant that this charge is filed with both the EEOC and the State or local agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the foregoing is true and correct.

NOTARY - (When necessary for State and Local Agencies)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(Month, day and year)

RECEIVED

JUN 12 2002

INTAKE

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

AGENCY	CHARGE NUMB
<input type="checkbox"/> FEPA	340A20197
<input checked="" type="checkbox"/> EEOC	

CA Dept. Fair Employment & Housing
State or local Agency, if any

and EEOC

NAME (Indicate Mr., Ms., Mrs.)

Mr. Encarnacion Gutierrez

HOME TELEPHONE (Include Area Code)

(310) 324-5394

STREET ADDRESS

CITY, STATE AND ZIP CODE

DATE OF BIRTH

8909 Stansbury Avenue, Panorama City, CA 91402

06/29

975

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME

NUMBER OF EMPLOYEES, MEMBERS

TELEPHONE (Include Area Code)

Abercrombie & Fitch Co.

Cat D (501 +)

(310) 899-2

6

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

1346 3rd Street Promenade, Los Angeles, CA 90063

03

NAME

TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

☒ RACE ☒ COLOR ☐ SEX ☐ RELIGION ☒ NATIONAL ORIGIN
☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (Specify)
DATE DISCRIMINATION TOOK PLACE
EARLIEST LATEST

06/01/2001 05/21

2002

☒ CONTINUING ACTIONTHE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):
Amended Charge

During the summer of 2001, I went to the Abercrombie & Fitch store located on the Third Street Promenade in Santa Monica, California, and I inquired about the availability of employment at the store. I received an application, which I was instructed to fill out. I was told to bring the completed application to a group interview on a set day of the week and time. I did return for the group interview, with my completed application. The group interview was conducted in the open area on the second floor of the store by a white male identified as the manager. There were seven or eight applicants sitting in a circle. The manager asked us to go around the circle and introduce ourselves, say something about ourselves, and indicate what job position we wanted to obtain. Each applicant did as instructed. The manager asked a very few follow-up questions of particular applicants. I do recall that he asked the first applicant to speak -- an Asian American male -- whether he spoke English even though his answer to the initial set of questions plainly demonstrated that he did in fact speak English. After we each responded, the manager told us that the interview was over and collected our applications. I have never been contacted about taking a position at the Abercrombie & Fitch store even though I never withdrew my application. I also have never received any sort of letter or communication indicating that my application was rejected or asking for any further information about my qualifications. Based on my observations of who works in the store, who was interviewed (more than half of those in my group interview were minorities), and the manager's interest in each applicant, I believe that I have not been hired or contacted because I am Latino.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the foregoing is true and correct.

Date

Charging Party (Signature)

EEOC FORM 5 (Rev. 07/99)

NOTARY - (When necessary for State and Local, See 29 CFR 161.106)

I swear or affirm that I have read the above charge and it is true to the best of my knowledge, belief, and information.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(Month, day and year)

RECEIVED

JUN 12 2001

EEOC ADDITIONAL INTAKE

(s)

Notar

ATE

CHARGE OF DISCRIMINATION

AGENCY

CHARGE NUMBER

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

☐ FEPA
☒ EEOC

340-2003-09730

California Department of Fair Employment and Housing and EEOC
State or local Agency, if any

NAME (indicate Mr., Ms. or Mrs.)

Mr. Johan Montoya

HOME TELEPHONE (include area code)

818-674-0904

STREET ADDRESS

CITY, STATE AND ZIP CODE

15415 Vanowen Street, #15, Van Nuys, CA 91406
6850 El Colegio, Goleta, CA 93117

DATE OF BIRTH

July 7, 1984

NAME OF THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one, list below.)

NAME

NUMBER OF EMPLOYEES, MEMBERS

TELEPHONE (include area code)

Abercrombie & Fitch at Topanga

Cat. D (500+)

818-713-1391

STREET ADDRESS

CITY, STATE AND ZIP CODE

6600 Topanga Canyon Blvd., Space #83, Canoga Park, CA 91303

COUNTY

Los Angeles

NAME

NUMBER OF EMPLOYEES, MEMBERS

TELEPHONE (include area code)

Abercrombie & Fitch

Cat. D (500+)

614-283-6500

STREET ADDRESS

CITY, STATE AND ZIP CODE

6301 Fitch Path, New Albany, Ohio 43054

COUNTY

Franklin

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

☒ RACE ☒ COLOR ☐ SEX ☐ RELIGION ☒ NATIONAL ORIGIN
☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (specify)DATE DISCRIMINATION TOOK PLACE
EARLIEST LATEST

8/7/02

☒ CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

I. I am a Latino male. I was denied a position as a sales associate ("Brand Representative") at the Abercrombie & Fitch store in the Topanga Mall in Canoga Park, California. I initially applied to work at that store in August or September 2002 and returned for a group interview the following Saturday afternoon. I was not hired nor was I ever contacted by Abercrombie.

II. I believe that I have been discriminated against by Abercrombie on the basis of national origin, color, or race for the following reasons: I am qualified for the sales associate position. I am an undergraduate at the University of California at Santa Barbara who was looking for a part-time job at the time, having already worked for roughly 6 months as a sales associate at the Foot Action USA in the same mall (Topanga). On both visits to the store, I noticed that none of the sales associates at the Topanga Abercrombie were minority individuals, i.e., Latino, African American or Asian American.

III. I believe that Abercrombie has a pattern and practice of discriminating against minority individuals on the basis of national origin, color, or race in staffing sales positions in its stores nationwide. I bring this charge on behalf of myself and similarly situated minority individuals denied sales positions as a result of national origin, color, or race.

☒ I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedure.

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct.

SIGNATURE OF COMPLAINANT

Date

4-5-03

Charging Party (signature)

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(Day, month, and year)

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**
(SEE ADDRESS CHECKED BELOW)

TTY # (800) 700-2320

Rachel Riddle
Human Resources Director EEOC Number: 340-2003-09730
Abercrombie & Fitch
6301 Fitch Path
New Albany, OH 43054

Case Name: MONTOYA, JUAN

Date: April 29, 2003

☐ 1001 Tower Way, Suite 250
Bakersfield, CA 93309
H (805) 395-2729

☐ 1320 E. Shaw Avenue, Suite 150
Fresno, CA 93710
C (559) 244-4760

☐ 611 West Sixth Street, Suite 1500
Los Angeles, CA 90017
B (213) 439-6799

☐ 1515 Clay Street, Suite 701
Oakland, CA 94612-2512
M (510) 622-2941

☐ 2000 "O" Street, Suite 120
Sacramento, CA 95814-5212
E (916) 445-5523

☐ 350 W. Ash Street, Suite 950
San Diego, CA 92101-3440
D (619) 645-2681

☐ 121 Spear Street, Suite 430
San Francisco, CA 94105
A (415) 904-2303

☐ 111 North Market Street, Suite 810
San Jose, CA 95113-1102
G (408) 277-1277

☐ 2101 E. Fourth Street, Suite 255-B
Santa Ana, CA 92705-3855
K (714) 558-4266

NOTICE TO COMPLAINANT AND RESPONDENT

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No response to the DFEH is required by the respondent.

The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waived to another agency."

NOTICE TO COMPLAINANT OF RIGHT-TO-SUE

Since DFEH will not be issuing an accusation, this letter is also your right-to-sue notice. According to Government Code section 12965, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The lawsuit may be filed in a State of California Superior, Municipal or Justice Court. Government Code section 12965, subdivision (b), provides that such a civil action must be brought within one year from the date of this notice. Pursuant to Government Code section 12965, subdivision (d)(1), this one year period will be tolled during the pendency of the EEOC's investigation of your complaint. You should consult an attorney to determine with accuracy the date by which a civil action must be filed. This right to file a civil action may be waived in the event a settlement agreement is signed. Questions about the right to file under federal law should be referred to the EEOC.

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Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

Barbara J. Osborne
Deputy Director
Enforcement Field Operations

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974: See Privacy Act Statement before completing this form.

AGENCY

☐ FEPA
☒ EEOC

CHARGE NUMBER

340A00452

CA Dept. Fair Employment & Housing
State or local Agency, if any

and EEOC

NAME (Indicate Mr., Ms., Mrs.)

Mr. Juan C. Gomez-Montejano

STREET ADDRESS

411 Kelton Avenue Unit #329, Westwood, CA 90024

HOME TELEPHONE (Include Area Code)

(310) 428-5909

DATE OF BIRTH

02/04/1979

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE,
STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME

Abercrombie & Fitch Co.

NUMBER OF EMPLOYEES, MEMBERS

Cat C (201-500)

TELEPHONE (Include Area Code)

(310) 899-2966

STREET ADDRESS

1346 3rd Street Promenade, Los Angeles, CA 90063

CITY, STATE AND ZIP CODE

COUNTY

037

STREET ADDRESS

CITY, STATE AND ZIP CODE

TELEPHONE NUMBER (Include Area Code)

COUNTY

CAUSE OF DISCRIMINATION BASED ON (check appropriate box(es))

☐ RACE☐ COLOR☐ SEX☐ RELIGION☒ NATIONAL ORIGIN☐ RETALIATION☐ AGE☐ DISABILITY☐ OTHER (Specify)DATE DISCRIMINATION TOOK PLACE
EARLIEST LATEST

04/15/1999 04/15/1999

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

- I. In June 1999, I received a copy of my personnel file which indicated that on April 15, 1999 I was laid off from my position as Brand Representative. My employers never informed me of my layoff. I was initially hired by the Respondent on November 22, 1998.
- II. My layoff notice did not indicate why I was laid off but stated that I was eligible for rehire.
- III. I believe that I was laid off because of my National origin, Mexican which is in violation of Title VII of the Civil Rights Act of 1964, as amended.

RECEIVED

DEC 21 1999

EEOC/LADO
INTAKE

☐ I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the foregoing is true and correct.

NOTARY - (When necessary for state and local requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(Month, day and year)**EXHIBIT D**

CHARGING PARTY COPY

THE PULSE UCLA@ACKERMAN

MAR - 01 00 (WED) 18:30

TEL: 310 206 0894

P.002

**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**
Los Angeles District Office

235 E. TEMPLE STREET, 4TH FLOOR
LOS ANGELES, CALIFORNIA 90012
1-800-669-4000
(213) 894-1000
TDD (213) 894-1121
FAX (213) 894-1118

Juan C. Gomez-Monetjano
411 Kelton Avenue, Unit #329
Los Angeles, California 90024

Charge Number 340A00452

Charging Party

Abercrombie & Fitch Co.
1346 3rd Street Promenade
Los Angeles, California 90063

Respondents

Abercrombie & Fitch Co.
Four Limited Parkway East
Reynoldsburg, Ohio 43068

LETTER OF DETERMINATION

By the authority vested in me by the Equal Employment Opportunity Commission (EEOC), I issue the following determination as to the merits of the subject charge filed under Title VII of the Civil Rights Act of 1964, as amended. All requirements for coverage have been met.

Charging Party alleged that he was denied a permanent position as a Brand Representative, denied an assignment and terminated because of his national origin, Mexican-American. Charging Party further alleges that Latinos and Blacks, as a class, are discriminated against in recruitment, hiring, and assignment. Respondent denies the allegations of discrimination and contends the Charging Party was not denied a permanent position of Brand Representative, denied an assignment, or terminated based on his national origin.

The preponderance of the evidence supports Charging Party's claim that he was denied a permanent position as a Brand Representative, denied an assignment and terminated because of his national origin. Moreover, evidence obtained during the course of the investigation revealed that Latinos and Blacks, as a class, were denied permanent positions, denied assignments and treated in an unfair manner with regard to recruitment based on their race and national origin, and that Respondent failed to maintain employment records as required by Title VII. Therefore, I have concluded that the evidence is sufficient to establish a violation of the above-cited statute.

Respondent is reminded that Federal law prohibits retaliation against persons who have exercised their right to inquire or complain about matters they believe may violate the law. Discrimination against persons who have cooperated in EEOC investigations is also prohibited. These protections apply regardless of the EEOC's determination on the merits of the charge.

EXHIBIT F

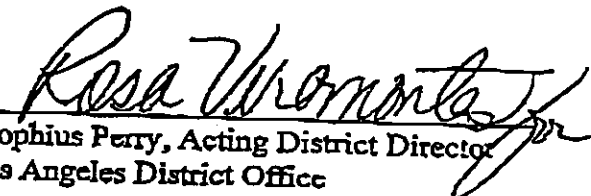
LOD
CHARGE NUMBER 340A00452
PAGE 2 OF 2

Having determined that there is reason to believe that violations have occurred, the EEOC now invites the parties to join with it in a collective effort toward a just resolution of this matter. If Respondent declines to enter into settlement discussions, or if for any other reason the EEOC's representative is unable to secure an acceptable settlement, the Director will so inform the parties in writing and advise them of the court enforcement alternative available to the charging party and the EEOC.

Investigator Karrie Maeda will be contacting you shortly to begin conciliation discussions. You can contact Investigator Maeda at (213) 894-1715.

On behalf of the Commission:

September 13, 2001
Date


Olophius Perry, Acting District Director
Los Angeles District Office

STATE OF CALIFORNIA STATE AND CONSUMER SERVICES AGENCY

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)

GRAY DAVIS, Governor



TTY # (800) 700-2320

☐ 1001 Tower Way, Suite 250
Bakersfield, CA 93309-1688
H (805) 386-2728

Mr. Jim Whselox
Human Resources Manager
Abercrombie & Fitch Co.
3 Limited Parking
Columbus, OH 43216

EEOC Number: 340A00452

Case Name: Mr. Juan C. Gomez-Montejano

☐ 1320 E. Shaw Avenue, Suite 150
C Fresno, CA 93710
(559) 244-4760

Date: December 21, 1999

NOTICE TO COMPLAINANT AND RESPONDENT

This is to advise you that the above-referenced complaint is being referred to the California Department of Fair Employment and Housing (DFEH) by the U.S. Equal Employment Opportunity Commission (EEOC). The complaint will be filed in accordance with California Government Code section 12960. This notice constitutes service pursuant to Government Code section 12962.

No response to the DFEH is required by the respondent.

The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waived to another agency."

NOTICE TO COMPLAINANT OF RIGHT-TO-SUE

Since DFEH will not be issuing an accusation, this letter is also your right-to-sue notice. According to Government Code section 12965, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The lawsuit may be filed in a State of California Superior, Municipal or Justice Court. The civil action must be filed within one year of this letter. This right may be waived in the event a settlement agreement is signed. Questions about the right to file under federal law should be referred to the EEOC.

The DFEH does not retain case records beyond three years after a complaint is filed.

Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

Barbara J. Osborne
Deputy Director
Enforcement Field Operations

EXHIBIT F

DFEH-200-02 (8/99)

CHARGE OF DISCRIMINATION		AGENCY	CHARGE NUMBER
This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	340-2003-09736
California Department of Fair Employment and Housing and EEOC <i>State or local Agency, if any</i>			
NAME (indicate Mr., Ms. or Mrs.)		HOME TELEPHONE (include area code)	
Ms. Jennifer Lu		(405) 209-8931	
STREET ADDRESS		DATE OF BIRTH	
163 Exeter, Apt # 163, Irvine, CA 92612		March 3, 1982	
NAME OF THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one, list below.)			
NAME	NUMBER OF EMPLOYEES, MEMBERS	TELEPHONE (include area code)	
Abercrombie & Fitch at Crystal Court	Cat. D (500+)	714-557-9787	
STREET ADDRESS	CITY, STATE AND ZIP CODE	COUNTY	
3333 Bear St. Suite # 223, Costa Mesa, CA 92626		ORANGE	
NAME	NUMBER OF EMPLOYEES, MEMBERS	TELEPHONE (include area code)	
Abercrombie & Fitch	Cat. D (500+)	614-283-6500	
STREET ADDRESS	CITY, STATE AND ZIP CODE	COUNTY	
6301 Fitch Path, New Albany, Ohio 43054		FRANKLIN	
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))		DATE DISCRIMINATION TOOK PLACE	
<input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input checked="" type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (specify)		EARLIEST LATEST 8/7/02 <input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):			
<p>I. I am an Asian American female. I was terminated from my position as a sales associate ("Brand Representative") at the Abercrombie & Fitch store in the Crystal Court Mall in Costa Mesa, California. I had worked at the Crystal Court store from September 2000 to February 2003.</p> <p>II. I believe that I have been discriminated against by Abercrombie on the basis of national origin, color, race or sex for the following reasons: I have worked in the sales associate position for three years. Based on my experience and demonstrated responsibility, I was entrusted with the duties of handling the cash register and even returns and exchanges. I am an undergraduate attending University of California at Irvine. On or about February 8, 2003, I was terminated from the Crystal Court Abercrombie along with 4 other Asian American sales associates. I believe the terminations were a direct result of a visit to the store by employees from Abercrombie's corporate offices, where they told the store management that it needed to "reevaluate the look" of the store and they pointed to a picture of a white male model hanging in the store, and stated something to the effect of, "This is the Abercrombie look." I believe this was code language to recommend that minority sales staff, particularly the Asian Americans and females, be terminated from employment.</p> <p>III. I believe that Abercrombie has a pattern and practice of discriminating against minority individuals on the basis of national origin, color, race or sex in staffing sales positions in its stores nationwide. I bring this charge on behalf of myself and similarly situated minority individuals denied sales positions as a result of national origin, color, race, or sex.</p>			
<input checked="" type="checkbox"/> I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedure.		NOTARY - (When necessary for State and Local Requirements)	
I declare under penalty of perjury that the foregoing is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
Date <u>Jennifer Lu</u> 4/3/2003 Charging Party (signature)		SIGNATURE OF COMPLAINANT <u>Jennifer Lu</u> 4/3/03 SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year)	

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)



TTY # (800) 700-2320

Rachel Riddle
Human Resources Director
Abercrombie & Fitch
6301 Fitch Path
New Albany, OH 43054

EEOC Number: 340-2003-09736

Case Name: LU, JENNIFER

Date: April 29, 2003

☐ 1001 Tower Way, Suite 250
Bakersfield, CA 93309
H (805) 395-2729

☐ 1320 E. Shaw Avenue, Suite 150
Fresno, CA 93710
C (559) 244-4760

☐ 611 West Sixth Street, Suite 1500
Los Angeles, CA 90017
B (213) 439-6799

☐ 1515 Clay Street, Suite 701
Oakland, CA 94612-2512
M (510) 622-2941

☐ 2000 "O" Street, Suite 120
Sacramento, CA 95814-5212
E (916) 445-5523

☐ 350 W. Ash Street, Suite 950
San Diego, CA 92101-3440
D (619) 645-2681

☐ 121 Spear Street, Suite 430
San Francisco, CA 94105
A (415) 904-2303

☐ 111 North Market Street, Suite 810
San Jose, CA 95113-1102
G (408) 277-1277

☐ 2101 E. Fourth Street, Suite 255-B
Santa Ana, CA 92705-3855
K (714) 558-4266

NOTICE TO COMPLAINANT AND RESPONDENT

This is to advise you that the above-referenced complaint is being referred to the California Department of Fair Employment and Housing (DFEH) by the U.S. Equal Employment Opportunity Commission (EEOC). The complaint will be filed in accordance with California Government Code section 12960. This notice constitutes service pursuant to Government Code section 12962.

No response to the DFEH is required by the respondent.

The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waived to another agency."

NOTICE TO COMPLAINANT OF RIGHT-TO-SUE

Since DFEH will not be issuing an accusation, this letter is also your right-to-sue notice. According to Government Code section 12965, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The lawsuit may be filed in a State of California Superior, Municipal or Justice Court. Government Code section 12965, subdivision (b), provides that such a civil action must be brought within one year from the date of this notice. Pursuant to Government Code section 12965, subdivision (d)(1), this one year period will be tolled during the pendency of the EEOC's investigation of your complaint. You should consult an attorney to determine with accuracy the date by which a civil action must be filed. This right to file a civil action may be waived in the event a settlement agreement is signed. Questions about the right to file under federal law should be referred to the EEOC.

The DFEH does not retain case records beyond three years after a complaint is filed.

Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

Barbara J. Osborne
Deputy Director
Enforcement Field Operations

CHARGE OF DISCRIMINATION		AGENCY	CHARGE NUMBER
This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	340-2003-09740
California Department of Fair Employment and Housing and EEOC <i>State or local Agency, if any</i>			
NAME (indicate Mr., Ms. or Mrs.) Mr. Austin Chu		HOME TELEPHONE (include area code) 949-857-1721	
STREET ADDRESS 23 Timberline, Irvine, CA 92604		CITY, STATE AND ZIP CODE DATE OF BIRTH January 12, 1983	
NAME OF THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one, list below.)			
NAME Abercrombie & Fitch at Crystal Court	NUMBER OF EMPLOYEES, MEMBERS Cat. D (500+)	TELEPHONE (include area code) 714-557-9787	
STREET ADDRESS 3333 Bear St. Suite # 223, Costa Mesa, CA 92626	CITY, STATE AND ZIP CODE	COUNTY Orange	
NAME Abercrombie & Fitch	NUMBER OF EMPLOYEES, MEMBERS Cat. D (500+)	TELEPHONE (include area code) 614-283-6500	
STREET ADDRESS 6301 Fitch Path, New Albany, Ohio 43054	CITY, STATE AND ZIP CODE	COUNTY Franklin	
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es)) <input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input checked="" type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (specify)		DATE DISCRIMINATION TOOK PLACE EARLIEST LATEST 8/7/02 <input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):			
<p>I. I am an Asian American male. I was constructively discharged from my position as a sales associate ("Brand Representative") at the Abercrombie & Fitch store in the Crystal Court Mall in Costa Mesa, California, where I had worked from June 2001 to February 2003.</p> <p>II. I believe that I have been discriminated against by Abercrombie on the basis of national origin, color, or race for the following reasons: I have worked in the sales associate position for almost two years. Based on my experience and demonstrated responsibility, I was entrusted with the duties of handling the cash register and even returns and exchanges. I am an undergraduate attending University of California at Irvine. After February 8, 2003, my hours were reduced from an average of 10-15 hours/week to only 4 hours in the month and a half period between February 8 and March 26, 2003. At the same time my hours were reduced, management at the Crystal Court Abercrombie terminated 5 female Asian American sales associates and hired 5-7 white male sales associates. I believe the terminations were a direct result of a visit to the store by employees from Abercrombie's corporate offices, where they told the store management that it needed to "reevaluate the look" of the store and they pointed to a picture of a white male model hanging in the store, and stated something to the effect of "This is the Abercrombie look." I believe this was code language that minority sales staff, particularly Asian Americans and females, be terminated.</p> <p>III. I believe that Abercrombie has a pattern and practice of discriminating against minority individuals on the basis of national origin, color, race or sex in staffing sales positions in its stores nationwide. I bring this charge on behalf of myself and similarly situated minority individuals denied sales positions as a result of national origin, color, or race.</p>			
<input checked="" type="checkbox"/> I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedure.		NOTARY - (When necessary for State and Local Requirements) 2003 I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
I declare under penalty of perjury that the foregoing is true and correct. 4/7/03 Date		SIGNATURE OF COMPLAINANT 4/7/03 SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year)	
Charging Party (signature)		11	



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)

TTY # (800) 700-2320

☐ 1001 Tower Way, Suite 250
Bakersfield, CA 93309
H (805) 395-2729

Rachel Riddle

Human Resources Director EEOC Number: 340-2003-09740

Abercrombie & Fitch

6301 Fitch Path

Case Name: CHU, AUSTIN C

Costa Mesa, CA 92626

Date: April 29, 2003

☐ 1320 E. Shaw Avenue, Suite 150
C Fresno, CA 93710
(559) 244-4760

NOTICE TO COMPLAINANT AND RESPONDENT

☐ 611 West Sixth Street, Suite 1500
B Los Angeles, CA 90017
(213) 439-6799

This is to advise you that the above-referenced complaint is being referred to the California Department of Fair Employment and Housing (DFEH) by the U.S. Equal Employment Opportunity Commission (EEOC). The complaint will be filed in accordance with California Government Code section 12960. This notice constitutes service pursuant to Government Code section 12962.

☐ 1515 Clay Street, Suite 701
M Oakland, CA 94612-2512
(510) 622-2941

No response to the DFEH is required by the respondent.

☐ 2000 "O" Street, Suite 120
E Sacramento, CA 95814-5212
(916) 445-5523

The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waived to another agency."

☐ 350 W. Ash Street, Suite 950
D San Diego, CA 92101-3440
(619) 645-2681

NOTICE TO COMPLAINANT OF RIGHT-TO-SUE

☐ 121 Spear Street, Suite 430
A San Francisco, CA 94105
(415) 904-2303

☐ 111 North Market Street, Suite 810
G San Jose, CA 95113-1102
(408) 277-1277

☐ 2101 E. Fourth Street, Suite 255-B
K Santa Ana, CA 92705-3855
(714) 558-4266

Since DFEH will not be issuing an accusation, this letter is also your right-to-sue notice. According to Government Code section 12965, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The lawsuit may be filed in a State of California Superior, Municipal or Justice Court. Government Code section 12965, subdivision (b), provides that such a civil action must be brought within one year from the date of this notice. Pursuant to Government Code section 12965, subdivision (d)(1), this one year period will be tolled during the pendency of the EEOC's investigation of your complaint. You should consult an attorney to determine with accuracy the date by which a civil action must be filed. This right to file a civil action may be waived in the event a settlement agreement is signed. Questions about the right to file under federal law should be referred to the EEOC.

The DFEH does not retain case records beyond three years after a complaint is filed.

Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

Barbara J. Osborne
Deputy Director
Enforcement Field Operations

CHARGE OF DISCRIMINATION

Case 3:03-cv-02817-SI Document 39-1 Filed 01/09/04 Page 16 of 38

AGENCY

CHARGE NUMBER

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

☐ FEPA☒ EEOC

California Department of Fair Employment and Housing and EEOC

State or local Agency, if

NAME (indicate Mr., Ms. or Mrs.)

Ms. Ivy Nguyen

RECEIVED

JUN 16 2003

HOME TELEPHONE (include area code)

(714) 635-7065

STREET ADDRESS

CITY, STATE AND ZIP CODE

1503 West Kimberly, Anaheim, CA 92802

EEOC - OLO

DATE OF BIRTH

09/21/1983

NAME OF THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one, list below.)

NAME

Abercrombie & Fitch at Crystal Court

NUMBER OF EMPLOYEES, MEMBERS

Cat. D (500+)

TELEPHONE (include area code)

(714) 557-9787

STREET ADDRESS

CITY, STATE AND ZIP CODE

3333 Bear St. Suite # 223 / Costa Mesa, CA 92626

COUNTY

Orange

NAME

Abercrombie & Fitch

NUMBER OF EMPLOYEES, MEMBERS

Cat. D (500+)

TELEPHONE (include area code)

614-283-6500

STREET ADDRESS

CITY, STATE AND ZIP CODE

6301 Fitch Path, New Albany, Ohio 43054

COUNTY

FRANKLIN

CAUSE OF DISCRIMINATION BASED ONK (Check appropriate box(es))

☒ RACE ☒ COLOR ☒ SEX ☐ RELIGION ☒ NATIONAL ORIGIN☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (specify)

DATE DISCRIMINATION TOOK

PLACE

EARLIEST

LATEST

02/8/03

☒ CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

I. I am an Asian American female. Around February 8, 2003, I was terminated from my position as a sales associate ("Brand Representative") at the Abercrombie & Fitch store in the Crystal Court Mall in Costa Mesa, California. I had worked there from June 2002 to February 2003.

II. I believe that I have been discriminated against by Abercrombie on the basis of national origin, color, race, or sex for the following reasons: I have worked in the sales associate position for three years. Based on my experience and demonstrated responsibility, I was entrusted with the duties of handling the cash register and even returns and exchanges. I am an undergraduate attending University of California at Irvine. On or about February 8, 2003, I was terminated from the Crystal Court Abercrombie along with 4 other Asian American sales associates. I believe the terminations were racially motivated.

III. I believe that Abercrombie has a pattern and practice of discriminating against minority individuals on the basis of national origin, color, race, or sex in staffing sales positions in its stores nationwide. I bring this charge on behalf of myself and similarly situated minority individuals denied sales positions as a result of national origin, color, race, or sex.

☒ I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedure.

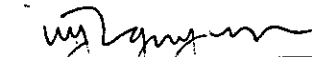
I declare under penalty of perjury that the foregoing is true and correct.

Date

6/13/03

Charging Party (signature)

NOTARY (When necessary for State and Local Requirements)



I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

6/13/03

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(Day, month, and year)

EXHIBIT I

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

AGE ☐ FEPA ☒ EEOC

CHARGE NUMBER
345-2003-0440

CA DEPT OF FAIR EMPLOYMENT/HOUSING

and EEOC

State or local Agency, if any

NAME (Indicate Mr., Ms., Mrs.)

Ms. Angeline Wu

HOME TELEPHONE (Include Area Code)

(626) 475-9440

STREET ADDRESS

CITY, STATE AND ZIP CODE

DATE OF BIRTH

2205 Robruce Drive, Hacienda Heights, CA 91745

08/14/1983

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME

NUMBER OF EMPLOYEES, MEMBERS

TELEPHONE (Include Area Code)

ABERCROMBIE & FITCH

Cat C (201-500)

(714) 557-9787

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

3333 Bear Street (Suite 223), Costa Mesa, CA 92626

059

NAME

TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

☒ RACE ☐ COLOR ☒ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (Specify)

DATE DISCRIMINATION TOOK PLACE
EARLIEST LATEST

02/09/2003 02/09/2003

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

- I. I was hired on or about 09-16-02, as a Sales Associate. On 02-09-03, I was laid off.
- II. According to Kyle Richter (General Manager, White), the action was taken because the business slowed down and there were too many employees.
- III. I believe I have been discriminated against because of my race, Asian, and my sex, Female, in violation of Title VII of the Civil Rights Act of 1964, as amended.

RECEIVED

APR 17 2003

EEOC/LADO
SDAO

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the foregoing is true and correct.

Date

Charging Party (Signature)

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(Month, day and year)

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)



Abercrombie & Fitch
P.O. Box 182168
Columbus, OH 43218

TTY # (800) 700-2320

☐ 1001 Tower Way, Suite 250
Bakersfield, CA 93309
H (805) 395-2729

EEOC Number: 345-2003-04040

Case Name: Wu v. Abercrombie & Fitch

Date: 4/22/03

☐ 1320 E. Shaw Avenue, Suite 150
Fresno, CA 93710
C (559) 244-4760

NOTICE TO COMPLAINANT AND RESPONDENT

☐ 611 West Sixth Street, Suite 1500
Los Angeles, CA 90017
B (213) 439-6799

This is to advise you that the above-referenced complaint is being referred to the California Department of Fair Employment and Housing (DFEH) by the U.S. Equal Employment Opportunity Commission (EEOC). The complaint will be filed in accordance with California Government Code section 12960. This notice constitutes service pursuant to Government Code section 12962.

☐ 1515 Clay Street, Suite 701
Oakland, CA 94612-2512
M (510) 622-2941

No response to the DFEH is required by the respondent.

☐ 2000 "O" Street, Suite 120
Sacramento, CA 95814-5212
E (916) 445-5523

The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waived to another agency."

☐ 350 W. Ash Street, Suite 950
San Diego, CA 92101-3440
D (619) 645-2681

NOTICE TO COMPLAINANT OF RIGHT-TO-SUE

☐ 121 Spear Street, Suite 430
San Francisco, CA 94105
A (415) 904-2303

Since DFEH will not be issuing an accusation, this letter is also your right-to-sue notice. According to Government Code section 12965, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The lawsuit may be filed in a State of California Superior, Municipal or Justice Court. Government Code section 12965, subdivision (b), provides that such a civil action must be brought within one year from the date of this notice. Pursuant to Government Code section 12965, subdivision (d)(1), this one year period will be tolled during the pendency of the EEOC's investigation of your complaint. You should consult an attorney to determine with accuracy the date by which a civil action must be filed. This right to file a civil action may be waived in the event a settlement agreement is signed. Questions about the right to file under federal law should be referred to the EEOC.

☐ 111 North Market Street, Suite 810
San Jose, CA 95113-1102
G (408) 277-1277

☐ 2101 E. Fourth Street, Suite 255-B
Santa Ana, CA 92705-3855
K (714) 558-4266

The DFEH does not retain case records beyond three years after a complaint is filed.

Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

Barbara J. Osborne
Deputy Director
Enforcement Field Operations

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974; See Privacy Act

Statement before completing this form.

AGENCY ☐ FEPA☒ EEOC

CHARGE NUMBER

California Department of Fair Employment and Housing and EEOC State or local Agency, if any

NAME (indicate Mr., Ms., or Mx.) Mr. Eric Fight

H

HOME TELEPHONE (include area code) 310-450-9498

STREET ADDRESS CITY, STATE AND ZIP CODE 634 Westminister Avenue, #5, Venice, CA 90291

D

DATE OF BIRTH May 30, 1974

NAME OF THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (if more than one, list below.)

NAME Abercrombie & Fitch at the Third Street Promenade

NUMBER OF EMPLOYEES, MEMBERS Cat. D

(500+)

TELEPHONE (include area code) 310-899-2966

STREET ADDRESS CITY, STATE AND ZIP CODE 1345 Third Street Promenade, Santa Monica, CA 90401

C

COUNTY Los Angeles

NAME Abercrombie & Fitch

NUMBER OF EMPLOYEES, MEMBERS Cat. D

(500+)

TELEPHONE (include area code) 614-283-6500

STREET ADDRESS CITY, STATE AND ZIP CODE 6301 Fitch Path, New Albany, OH 43054

C

COUNTY Franklin

CAUSE OF DISCRIMINATION BASED ONK (Check appropriate box(es)) ☒ RACE ☒ COLOR ☐ SEX ☐RELIGION ☐ NATIONAL ORIGIN ☐ RETALIATION ☐ AGE ☐ DISABILITY ☐
OTHER (specify)

D

DATE DISCRIMINATION TOOK PLACE EARLIEST LATEST 11/02 ☒ CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)): I. I am an African American male. I was denied a position as a sales associate ("Brand Representative") at the Abercrombie & Fitch store in the Third Street Promenade in Santa Monica, California. I initially applied to work at that store in May 2003. During my interview, I informed the manager that I had substantial clothing retail sales experience working with the Gap, Urban Outfitters, and Miller's Outpost. The manager told me that the store would call me with a decision within a week. One week later, I called the store to inquire about my application, and the same manager told me that the store was not hiring floor sales associates. Roughly ten days later, the stock room manager called me and offered me a stock room position. I began work in that capacity, expecting that the store would soon be hiring floor sales associates again and that I could reapply for such a position then. On my second day of work in the stock room, in June 2003, I met a new white floor sales associate who was working his first day with Abercrombie. Knowing that he had recently been hired, I realized that the manager had deceived me about the availability of floor sales associate positions. Therefore, in June 2003, I was constructively discharged when I learned that I was not allowed to work on the sales floor due to my race or color and that I had been misled by the manager with whom I had interviewed into believing that there were no regular floor sales associate positions available. II. I believe that I have been discriminated against by Abercrombie on the basis of color or race for the following reasons. I had substantial retail clothing sales experience, and I informed the manager about my interest in working on the floor as a sales associate. However, I was channeled to a stock room position instead, where I would be out of public view. III. I believe that Abercrombie has a pattern and practice of discriminating against minority individuals on the basis of color or race in staffing sales positions in its stores nationwide. I bring this charge on behalf of myself and similarly situated minority individuals denied sales positions as a result of color or race.

☒ I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedure.

NOTARY - (When necessary for State and Local Requirements) I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct. Date Charging Party (signature)

SIGNATURE OF

COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year)

RECEIVED
JUL 14 2003

EXHIBIT K

CHARGE OF DISCRIMINATION		AGENCY	CHARGE NUMBER
This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	
California Department of Fair Employment and Housing and EEOC <i>State or local Agency, if any</i>			
NAME (indicate Mr., Ms. or Mrs.) Ms. Carla Grubb		HOME TELEPHONE (include area code) 661-205-4340 cell 661-831-3470 home	
STREET ADDRESS 3112 Jackie Court, Bakersfield, CA 93313		CITY, STATE AND ZIP CODE DATE OF BIRTH October 4, 1983	
NAME OF THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one, list below.)			
NAME Abercrombie & Fitch at Bakersfield Valley Plaza Mall	NUMBER OF EMPLOYEES, MEMBERS Cat. D (500+)	TELEPHONE (include area code) 661-832-1549	
STREET ADDRESS 2701 Ming Avenue, Bakersfield, CA 93304		CITY, STATE AND ZIP CODE COUNTY Kern	
NAME Abercrombie & Fitch	NUMBER OF EMPLOYEES, MEMBERS Cat. D (500+)	TELEPHONE (include area code) 614-283-6500	
STREET ADDRESS 6301 Fitch Path, New Albany, OH 43054		CITY, STATE AND ZIP CODE COUNTY Franklin	
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es)) <input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input checked="" type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (specify)		DATE DISCRIMINATION TOOK PLACE EARLIEST LATEST 11/02 <input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):			
<p>I. I am an African American female. I was denied a position as a sales associate ("Brand Representative") at the Abercrombie & Fitch store in the Bakersfield Valley Plaza Mall in Bakersfield, California. I began to work in November 2002. In approximately late January 2003, I was constructively discharged from my position.</p> <p>II. I believe that I have been discriminated against by Abercrombie on the basis of color, race, or national origin for the following reasons. I had four years of retail sales experience. I am an undergraduate at California State University at Bakersfield. However, I was given work assignments with few hours at inconvenient times as a sales associate. Despite requesting longer shifts during business hours, I was generally assigned clean-up shifts just before and after the store closed, usually for only 2 hours at a time, usually at most 10 hours a week. I spent the vast majority of my work time dusting and cleaning. In late January 2003, shortly after an early January corporate visit to the store, I stopped receiving shift assignments, despite continuing to express my availability for times as flexible as 8 am to 10 pm. Since I have not been scheduled for any shifts since January 2003, I have concluded that I have been constructively discharged.</p> <p>III. I believe that Abercrombie has a pattern and practice of discriminating against minority individuals on the basis of color, race, or national origin in staffing sales positions in its stores nationwide. I bring this charge on behalf of myself and similarly situated minority individuals denied sales positions as a result of color, race, or national origin.</p>			
<input checked="" type="checkbox"/> I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedure. I declare under penalty of perjury that the foregoing is true and correct. 8/16/03 Date		NOTARY - (When necessary for State and local requirements) I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT Carla Grubb 8/16/03 SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year)	
Charging Party (signature) Carla Grubb			


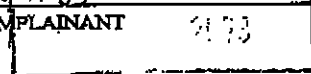
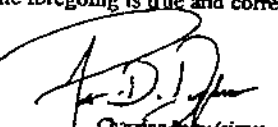

CHARGE OF DISCRIMINATION		AGENCY	CHARGE NUMBER
This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	
California Department of Fair Employment and Housing and EEOC <i>State or local Agency, if any</i>			
NAME (indicate Mr., Ms. or Mrs.) Mr. David Culpepper		HOME TELEPHONE (include area code) 510-830-9004	
STREET ADDRESS CITY, STATE AND ZIP CODE 2315 Jefferson Ave., #3, Berkeley, CA 94703		DATE OF BIRTH October 7, 1977	
NAME OF THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one, list below.)			
NAME	NUMBER OF EMPLOYEES, MEMBERS	TELEPHONE (include area code)	
Abercrombie & Fitch at San Francisco Shopping Center, and Abercrombie & Fitch at SF Stonestown Galleria	Cat. D (500+)	415-284-9276 415-664-3091	
STREET ADDRESS CITY, STATE AND ZIP CODE	COUNTY		
865 Market St., San Francisco, CA 94103, and 3251 Twentieth Ave., Suite #202, San Francisco, CA 94132	San Francisco		
NAME	NUMBER OF EMPLOYEES, MEMBERS	TELEPHONE (include area code)	
Abercrombie & Fitch	Cat. D (500+)	614-283-6500	
STREET ADDRESS CITY, STATE AND ZIP CODE	COUNTY		
6301 Fitch Path, New Albany, Ohio 43054	Franklin		
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))		DATE DISCRIMINATION TOOK PLACE EARLIEST LATEST	
<input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (specify)		5/01/02 <input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):			
<p>I. I am an African American male. I was denied a position as a sales associate ("Brand Representative") at the Abercrombie & Fitch stores in the SF Shopping Center and SF Stonestown Galleria in San Francisco, California. I applied to work at the SF Shopping Center store in late May 2002, September 2002, and early June 2003 by handing a written application to an Abercrombie sales associate or manager each time. On the first visit, the Abercrombie employee stated that she would pass the application to the manager. On the second and third visits, the managers there told me that the store was not hiring and that there were no positions available. I also applied to work at the SF Stonestown Galleria store in June 2002, late November or early December 2002, and March 2003 by handing a written application to an Abercrombie sales associate or manager each time. On the first and third visits, the Abercrombie employees there told me that the store was not hiring and that there were no positions available. On the second visit, the Abercrombie employee stated that the store would contact me if they were interested. During none of these six application attempts did any Abercrombie employee inform me of the existence of a group interview or ask about my qualifications. Because I visited both locations frequently, I noticed many new white Brand Representatives working at both stores, several of whom informed me that they had been hired in recent weeks (during times immediately before and after each of my application attempts). I was not hired nor was I ever contacted by Abercrombie.</p> <p>II. I believe that I have been discriminated against by Abercrombie on the basis of color or race because I was qualified for the Brand Representative position. By May 2002, I had substantial experience as a sales associate for comparable stores including Banana Republic, Aeropostale, and Instant (a boutique clothing store in New York City). I was then a recent graduate of the University of California at Berkeley. I am currently a graduate student there. Furthermore, in June 2002, within a few weeks of my first application to the SF Shopping Center, four white male friends of mine with no retail experience applied to that store and were all hired on the spot and scheduled for their first shifts.</p> <p>III. I believe that Abercrombie has a pattern and practice of discriminating against minority individuals on the basis of national origin, color, or race in staffing sales positions in its stores nationwide. I bring this charge on behalf of myself and similarly situated minority individuals denied sales positions as a result of national origin, color, or race.</p>			
<input checked="" type="checkbox"/> I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedure.		NOTARY - (When necessary for State and Local Requirements)	
I declare under penalty of perjury that the foregoing is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
Date 8/6/03  Charging Party (signature)		SIGNATURE OF COMPLAINANT  EEOC/LAFCO INTAKE	
		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year)	

EXHIBIT M

RECEIVED

CHARGE OF DISCRIMINATION		AGENCY 2-9-2003	CHARGE NUMBER 340-2004-00740
This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	
California Department of Fair Employment and Housing and EEOC <i>State or local Agency, if any</i>			
NAME (indicate Mr., Ms. or Mrs.) Patrice Douglass		HOME TELEPHONE (include area code) 510-367-9956	
STREET ADDRESS 4674 Elmwood Road		CITY, STATE AND ZIP CODE El Sobrante, California 94803	DATE OF BIRTH 10/13/84
NAME OF THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one, list below.)			
NAME Abercrombie & Fitch at Bay Street		NUMBER OF EMPLOYEES, MEMBERS Cat. D (500+)	TELEPHONE (include area code) 510-595-1360
STREET ADDRESS 5680 Bay Street		CITY, STATE AND ZIP CODE Emeryville, California 94608	COUNTY Alameda
NAME A&F California, LLC		NUMBER OF EMPLOYEES, MEMBERS Cat. D (500+)	TELEPHONE (include area code) 614-283-6500
STREET ADDRESS 6301 Fitch Path, New Albany, OH 43054		CITY, STATE AND ZIP CODE	COUNTY Franklin
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es)) <input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input checked="" type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (specify)			DATE DISCRIMINATION TOOK PLACE EARLIEST 05/03 LATEST <input checked="" type="checkbox"/> CONTINUING ACTION
THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)).			
<p>I. I am an African American female. I was denied a position as a sales associate ("Brand Representative") at the Abercrombie & Fitch store at Bay Street in Emeryville, California. In May of 2003 I submitted my application to a Manager on duty. From the initial point of contact until I walked out of the store, the Manager was distant and dismissive. After scrutinizing my application and commenting on details such as my inclusion of a cellular and dormitory phone number rather than the "usual" applicant's choice to list only a cellular number, the Manager stated that it was early in the season to submit an application for summer employment. I never received a follow up call from Abercrombie.</p> <p>II. I believe that Abercrombie discriminated against me on the basis of color, race, or national origin for the following reasons. At the time I applied for the Brand Representative position I was a college student and Rugby player at the University of California, Santa Cruz. Additionally, I possessed commensurate retail sales experience and wore almost exclusively Abercrombie clothes. One week after I was informed by Abercrombie Management that May was early for me to apply for a summer job which would begin in June, a Caucasian friend of mine requested an application for summer employment as a Brand Representative at the same Abercrombie store. Upon requesting an application she was instructed to attend one of the group interviews that the Company held every Wednesday.</p> <p>III. I believe that Abercrombie has a pattern and practice of discriminating against minority individuals on the basis of color, race, or national origin in staffing sales positions in its stores nationwide. I bring this charge on behalf of myself and similarly situated minority individuals denied sales positions as a result of color, race, or national origin.</p>			
<input checked="" type="checkbox"/> I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedure.		NOTARY - (When necessary for State and Local Requirements)	
I declare under penalty of perjury that the foregoing is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
Date 11, December, 2003  Charging Party (signature)		SIGNATURE OF COMPLAINANT  SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year) 14, December, 2003	
		23, 2003 EEOC/ADO	



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)

TTY # (800) 700-2320

☐ 1001 Tower Way, Suite 250
Bakersfield, CA 93309
H (805) 395-2729

Ms. Rachel Riddle
Abercrombie & Fitch
6301 Fitch Path
New Albany, Ohio

EEOC Number: 340-2004-00740

Case Name: Douglass, Patrice

December 23, 2003

Date:

☐ 1320 E. Shaw Avenue, Suite 150
Fresno, CA 93710
C (559) 244-4760

NOTICE TO COMPLAINANT AND RESPONDENT

☐ 611 West Sixth Street, Suite 1500
Los Angeles, CA 90017
B (213) 439-4799

This is to advise you that the above-referenced complaint is being referred to the California Department of Fair Employment and Housing (DFEH) by the U.S. Equal Employment Opportunity Commission (EEOC). The complaint will be filed in accordance with California Government Code section 12960. This notice constitutes service pursuant to Government Code section 12962.

☐ 1515 Clay Street, Suite 701
Oakland, CA 94612-2512
M (510) 622-2941

No response to the DFEH is required by the respondent.

☐ 2000 "O" Street, Suite 120
Sacramento, CA 95814-6212
E (916) 445-5523

The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waived to another agency."

☐ 350 W. Ash Street, Suite 950
San Diego, CA 92101-3440
D (619) 645-2681

NOTICE TO COMPLAINANT OF RIGHT-TO-SUE

☐ 121 Spear Street, Suite 430
San Francisco, CA 94105
A (415) 904-2303

Since DFEH will not be issuing an accusation, this letter is also your right-to-sue notice. According to Government Code section 12965, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The lawsuit may be filed in a State of California Superior, Municipal or Justice Court. Government Code section 12965, subdivision (b), provides that such a civil action must be brought within one year from the date of this notice. Pursuant to Government Code section 12965, subdivision (d)(1), this one year period will be tolled during the pendency of the EEOC's investigation of your complaint. You should consult an attorney to determine with accuracy the date by which a civil action must be filed. This right to file a civil action may be waived in the event a settlement agreement is signed. Questions about the right to file under federal law should be referred to the EEOC.

☐ 111 North Market Street, Suite 810
San Jose, CA 95113-1102
G (408) 277-1277

☐ 2101 E. Fourth Street, Suite 255-B
Santa Ana, CA 92705-3855
K (714) 558-4266

The DFEH does not retain case records beyond three years after a complaint is filed.

Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

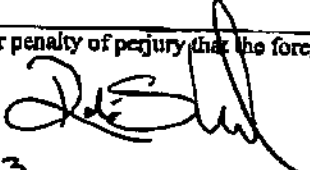

Sincerely,

Barbara J. Osborne
Deputy Director
Enforcement Field Operations

-DEC-30-03 13:13 From:EEOC/LADO

12138941118

T-169 P.02/03 Job-545

CHARGE OF DISCRIMINATION		AGENCY	CHARGE NUMBER
This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	340-2004-00747
California Department of Fair Employment and Housing and EEOC <i>State or local Agency, if any</i>			
NAME (indicate Mr., Ms. or Mrs.) Mr. Robair Sherrod		HOME TELEPHONE (include area code) 310-767-1116	
STREET ADDRESS 942 E. Diamondale Dr.		CITY, STATE AND ZIP CODE Carson, CA 90746	DATE OF BIRTH 09/21/75
NAME OF THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one, list below.)			
NAME Abercrombie & Fitch at Redondo Beach, South Bay Galleria		NUMBER OF EMPLOYEES, MEMBERS Cat. D (500+)	TELEPHONE (include area code) 301-371-5575
STREET ADDRESS Hawthorne & Artesia Blvd		CITY, STATE AND ZIP CODE Redondo Beach, CA 90278	COUNTY Los Angeles
NAME A&F California, LLC		NUMBER OF EMPLOYEES, MEMBERS Cat. D (500+)	TELEPHONE (include area code) 614-283-6500
STREET ADDRESS 6301 Fitch Path, New Albany, OH 43054		CITY, STATE AND ZIP CODE	COUNTY Franklin
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es)) <input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input checked="" type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (specify)			DATE DISCRIMINATION TOOK PLACE EARLIEST 12/2002 LATEST
<input checked="" type="checkbox"/> CONTINUING ACTION			
THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):			
<p>I. I am an African American male. I was denied a position as a sales associate ("Brand Representative") at the Abercrombie & Fitch store at Redondo Beach, South Bay Galleria, California. I applied for a position in approximately December 2002 and interviewed with the Company in approximately January and February 2003. Though I was told I would receive a call regarding my interview and application, I received no subsequent contact from Abercrombie and I was not hired for the sales position.</p> <p>II. I believe that I have been discriminated against by Abercrombie on the basis of color, race, or national origin for the following reasons. I am a college senior majoring in Business Management at California State University at Dominguez Hills. When I applied to Abercrombie, I had completed an Associate Degree from Santa Monica College and was taking a few preparatory courses at El Camino College. I had a very flexible schedule, and informed Abercrombie of the same. I also informed Abercrombie that I had approximately five years of experience in sales and retail sales. In addition, I have been a regular patron of Abercrombie stores, and own a wardrobe of their clothes. Despite the fact that Abercrombie was clearly hiring new Brand Representatives, I was not offered a position.</p> <p>III. I believe that Abercrombie has a pattern and practice of discriminating against minority individuals on the basis of color, race or national origin in staffing sales positions in its stores nationwide. I bring this charge on behalf of myself and similarly situated minority individuals denied sales positions as a result of color, race, or national origin.</p>			
<input checked="" type="checkbox"/> I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedure.		NOTARY - (When necessary for State and Local Requirements)	
I declare under penalty of perjury that the foregoing is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
 Date 12-11-03 Charging Party (signature)		SIGNATURE OF COMPLAINANT  RECEIVED DEC 1 2003 SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year) EEOC/LADO INTAKE	

-DEC-30-03 13:13 From:EEOC/LADO

12188941118

T-163 P.03/03 Job-545

STATE OF CALIFORNIA - STATE AND CONSUMER SERVICES AGENCY

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)



TTY # (800) 700-2320

☐ 1001 Tower Way, Suite 250
Bakersfield, CA 93309
H (805) 396-2729

Ms. Rachel Riddle
Human Resources Manager
Abercrombie & Fitch at
Redondo Beach, South Bay
6301 Fitch Path
New Albany, OH 43054

EEOC Number: 340-2004-00747

Case Name: Robair Sherrod

Date: December 30, 2003

☐ 1320 E. Shaw Avenue, Suite 150
Fresno, CA 93710
C (559) 244-4760

NOTICE TO COMPLAINANT AND RESPONDENT

This is to advise you that the above-referenced complaint is being referred to the California Department of Fair Employment and Housing (DFEH) by the U.S. Equal Employment Opportunity Commission (EEOC). The complaint will be filed in accordance with California Government Code section 12960. This notice constitutes service pursuant to Government Code section 12962.

No response to the DFEH is required by the respondent.

The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waived to another agency."

☐ 611 West Sixth Street, Suite 1500
Los Angeles, CA 90017
B (213) 439-6799

☐ 1516 Clay Street, Suite 701
Oakland, CA 94612-2512
M (510) 622-2941

☐ 2000 "O" Street, Suite 120
Sacramento, CA 95814-5212
E (916) 445-6623

NOTICE TO COMPLAINANT OF RIGHT-TO-SUE

☐ 350 W. Ash Street, Suite 950
San Diego, CA 92101-3440
D (619) 845-2881

☐ 121 Spear Street, Suite 430
San Francisco, CA 94105
A (415) 804-2303

☐ 111 North Market Street, Suite 810
San Jose, CA 95113-1102
G (408) 277-1277

☐ 2101 E. Fourth Street, Suite 255-B
Santa Ana, CA 92705-3855
K (714) 568-4286

Since DFEH will not be issuing an accusation, this letter is also your right-to-sue notice. According to Government Code section 12965, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The lawsuit may be filed in a State of California Superior, Municipal or Justice Court. Government Code section 12965, subdivision (b), provides that such a civil action must be brought within one year from the date of this notice. Pursuant to Government Code section 12966, subdivision (d)(1), this one year period will be tolled during the pendency of the EEOC's investigation of your complaint. You should consult an attorney to determine with accuracy the date by which a civil action must be filed. This right to file a civil action may be waived in the event a settlement agreement is signed. Questions about the right to file under federal law should be referred to the EEOC.

The DFEH does not retain case records beyond three years after a complaint is filed.

Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

Barbara J. Osborne
Deputy Director
Enforcement Field Operations

DFEH-200-02 (03/C)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Eduardo Gonzalez
 27474 Capri Ave.
 Hayward, CA 94545

From: Equal Employment Opportunity Commission
 255 East Temple Street, 4th Floor
 Los Angeles, California 90012

On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
340-2003-09802	Legal Officer of the Day	(213) 894-1000

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

- ☒ More than 180 days have passed since the filing of this charge.
- ☐ Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.
- ☐ The EEOC is terminating its processing of this charge.
- ☒ The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**

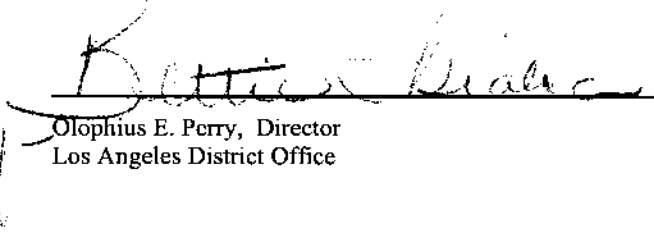
- ☐ The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on the above-numbered charge will be lost.
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Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Enclosure(s)


 Olophius E. Perry, Director
 Los Angeles District Office

12-30-03
 (Date Mailed)

cc: ABERCROMBIE & FITCH

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Encarnacion Gutierrez
8909 Stansbury Ave.
Panorama City, CA 91402

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
340A201971	Legal Officer of the Day	(213) 894-1000

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

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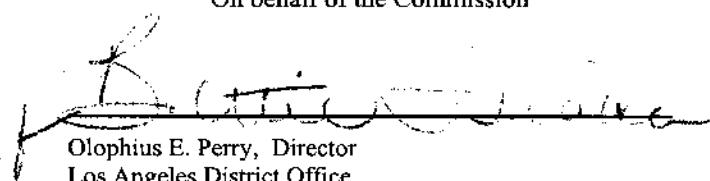
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On behalf of the Commission

Enclosure(s)


Olophius E. Perry, Director
Los Angeles District Office

12/30/03
(Date Mailed)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Johan Montoya
15415 Vanowen St. #15
Van Nuys, CA 91406

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
340-2003-09730	Legal Officer of the Day	(213) 894-1000

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

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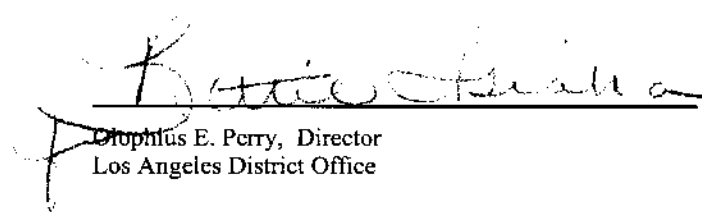
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If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Enclosure(s)


Philip E. Perry, Director
Los Angeles District Office

10-30-03
(Date Mailed)

cc: ABERCROMBIE & FITCH

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Juan C. Gomez-Monetjano
 411 Kelton Ave. #329
 Los Angeles, CA 90063

From: Equal Employment Opportunity Commission
 255 East Temple Street, 4th Floor
 Los Angeles, California 90012

[] On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
340A00452	Legal Officer of the Day	(213) 894-1000

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

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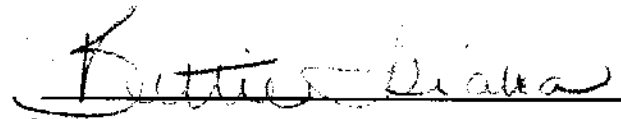
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On behalf of the Commission

Enclosure(s)


 Olophius E. Perry, Director
 Los Angeles District Office

10/30/03
 (Date Mailed)

cc: ABERCROMBIE & FITCH

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Jennifer Lu
 163 Exeter #163
 Irvine, CA 92612

From: Equal Employment Opportunity Commission
 255 East Temple Street, 4th Floor
 Los Angeles, California 90012

[] On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
340-2003-09736	Legal Officer of the Day	(213) 894-1000

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

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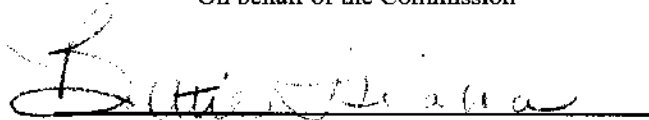
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If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



Olophius E. Perry, Director
 Los Angeles District Office

10/30/03

(Date Mailed)

Enclosure(s)

cc: ABERCROMBIE & FITCH

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Austin Chu
23 Timberline
Irvine, CA 92604

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
340-2003-09740	Legal Officer of the Day	(213) 894-1000

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

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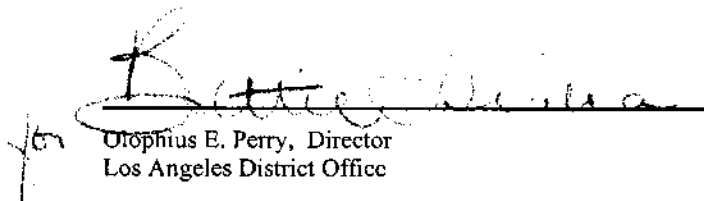
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On behalf of the Commission

Enclosure(s)


Orphiuss E. Perry, Director
Los Angeles District Office

10/30/03
(Date Mailed)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Ivy Nguyen
1503 West Kimberly
Anaheim, CA 92802

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
376-2003-00317	Legal Officer of the Day	(213) 894-1000

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

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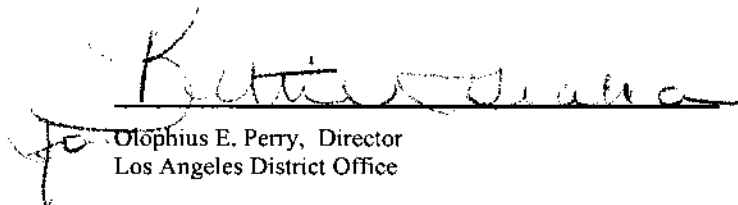
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On behalf of the Commission

Enclosure(s)


Olophius E. Perry, Director
Los Angeles District Office

12-20-03
(Date Mailed)

cc: ABERCROMBIE & FITCH

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Angeline Wu
2205 Robruce Drive
Hacienda Heights, CA 91745

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
345-2003-04040	Legal Officer of the Day	(213) 894-1000

(See also the additional information attached to this form.)

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On behalf of the Commission

Enclosure(s)


Olophius E. Perry, Director
Los Angeles District Office

15-30-03
(Date Mailed)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Eric Fight
634 Westminster Ave. #5
Venice, CA 90291

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
340-2003-11249	Legal Officer of the Day	(213) 894-1000

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

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- [] More than 180 days have passed since the filing of this charge.
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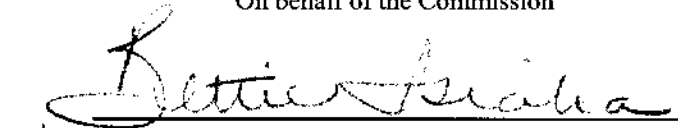
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On behalf of the Commission

Enclosure(s)


Olophius E. Perry, Director
Los Angeles District Office

12-30-03
(Date Mailed)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Carla Grubb
3112 Jackie Court
Bakersfield, CA 93313

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
340-2003-11248	Legal Officer of the Day	(213) 894-1000

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

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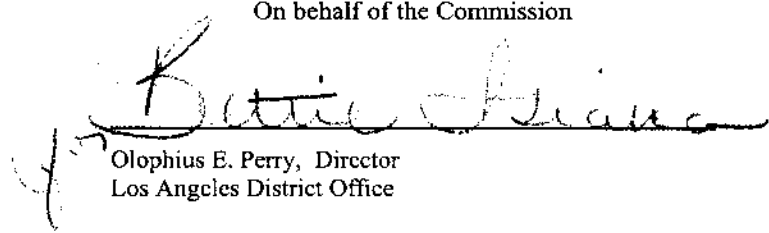
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On behalf of the Commission

Enclosure(s)


Olophius E. Perry, Director
Los Angeles District Office

12/30/03
(Date Mailed)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: David Culpepper
2315 Jefferson Ave. #3
Berkeley, CA 94703

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
340-2003-11246	Legal Officer of the Day	(213) 894-1000

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

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- [] More than 180 days have passed since the filing of this charge.
- [X] Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.
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- [X] The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**

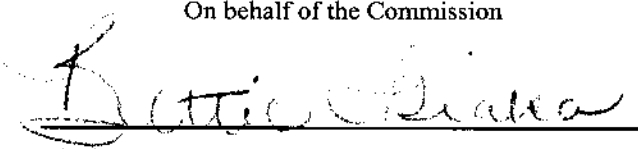
- [] The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on the above-numbered charge will be lost.
- [] The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of your charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Enclosure(s)


Olophius E. Perry, Director
Los Angeles District Office

10/30/03
(Date Mailed)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Patrice Douglass
4674 Elmwood Road
El Sobrante, CA 94803

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
340-2004-00740	Legal Officer of the Day	(213) 894-1000

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

- ☐ More than 180 days have passed since the filing of this charge.
- ☒ Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.
- ☐ The EEOC is terminating its processing of this charge.
- ☒ The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**

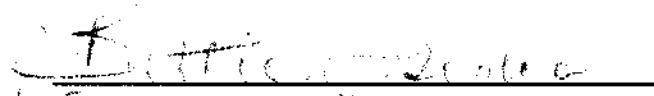
- ☐ The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on the above-numbered charge will be lost.
- ☐ The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of your charge, you may file suit in federal or state court under the ADEA at this time.

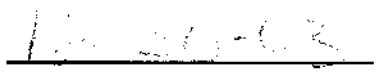
Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Enclosure(s)


Olophius E. Perry, Director
Los Angeles District Office


(Date Mailed)

cc: ABERCROMBIE & FITCH

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Robair Sherrod
942 East Diamondale Drive
Carson, CA 90746

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
340-2004-00747	Legal Officer of the Day	(213) 894-1000

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA **must be filed in federal or state court WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

- [] More than 180 days have passed since the filing of this charge.
- [X] Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.
- [] The EEOC is terminating its processing of this charge.
- [X] The EEOC will continue to process this charge.

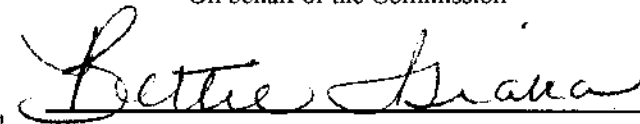
Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**

- [] The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.
- [] The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of your charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission


Olophius E. Perry, Director
Los Angeles District Office

12-30-03
(Date Mailed)

Enclosure(s)

cc: ABERCROMBIE & FITCH